

**TRANSPORTATION RULES  
OF  
GEORGIA PUBLIC SERVICE COMMISSION**

**CHAPTER 8: MOTOR VEHICLES**

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**8-1.1 Applicability.**

The provisions of this chapter apply to all for hire motor vehicles operating within, into, or through the State of Georgia.

**8-1.3 Penalties.**

(a) *Criminal penalty.* In addition to any other penalty imposed by law, violations of any provision of this chapter shall constitute a misdemeanor, pursuant to O.C.G.A. §46-2-93 and §46-7-39.

(b) *Civil penalty.* In addition to any other penalty imposed by law, violations of this chapter shall be subject to the provisions of O.C.G.A. §46-2-91.

(c) *Late Registration.* Any motor carrier operating a vehicle or vehicles over the highways of this State under a certificate or permit issued by the Commission without having first obtained the annual vehicle registration stamp shall be required to pay a fee of twenty-five dollars (\$25.00) for late registration of such vehicle.

**8-2.1 Vehicle Registration.**

(a) Every for hire motor carrier operating pursuant to a Certificate or Permit, shall annually on or before the thirty-first day of December of each calendar year, but not earlier than the preceding first day of October, or as to any motor vehicle put into use during the course of the year, before the vehicle is put into use, make application to the Commission on such forms as the Commission may prescribe, for the issuance of an annual identification and registration stamp or stamps to be affixed to Vehicle Identification Cab Card, for registration of all motor vehicles (including vehicles operated in driveway service) to be operated under such certificate or permit, and shall pay to the Commission a fee of \$5.00 for the registration of each vehicle and issuance of identification and registration stamp to operate same. Each annual identification and registration stamp shall be valid for a period of 16 months extending from the first day of October of any year through the thirty-first day of January of the next succeeding year. The Vehicle Identification Cab Card shall be in the form prescribed by the Commission (Form G for intrastate operations and Form D-1 for interstate exempt operations). This rule shall include all vehicles used to pick-up or deliver persons or property which are operated incident to the motor carrier business conducted under certificates or permits issued by the Commission.

(b) Application for registration and licensing of all motor vehicles shall be made on the forms prescribed by the Commission, which shall be typewritten or written legibly with pen and

ink. Cashier's Check, Certified Check or U.S. Postal Money Order or Express Money Order payable to the Georgia Public Service Commission must accompany the equipment registration form.

(c) The registration fee for each vehicle for a year or a portion of a year is \$5.00. No refund will be made on registrations surrendered for cancellation. Under no circumstance will the Commission issue a license until carrier is properly qualified with the Commission. Prior to operating a vehicle within the borders of the State of Georgia, each motor carrier shall place one of such identification stamps in the appropriate space provided for on the Vehicle Identification Cab Card (Form G or D-1, as appropriate) in such manner that the same cannot be removed without defacing it. The motor carrier shall thereupon duly complete and execute the form of certificate printed on the front of the Vehicle Identification Cab Card (Form G or D-1) so as to identify itself and such vehicle.

(d) The Vehicle Identification Cab Card shall be maintained in the cab of such vehicle for which prepared whenever the vehicle is operated under the authority of the carrier identified in the cab card. A Vehicle Identification Cab Card shall, upon demand, be exhibited by the driver to any authorized agent or representative of the Georgia Public Service Commission or any law enforcement officer.

(e) Carriers holding multiple classes of certificates or permits shall only be required to pay one registration fee per vehicle operated. Carriers which hold certificates or permits and also hold operating authority from the Federal Motor Carrier Safety Administration and are registered under the Single-State Registration System (SSRS) pursuant to Commission Transportation Rule 8-2.3, are not required to obtain registration and identification stamps under this rule, provided they have paid registration fees for all of their vehicles operated within the borders of this state and a copy of such SSRS receipt is carried upon each vehicle operated within the borders of this state.

(f) Any motor carrier operating a vehicle or vehicles over the highways of this State under a certificate or permit issued by the Commission without having first obtained the annual vehicle registration stamp shall be required to pay a fee of twenty-five dollars (\$25.00) for late registration of such vehicle.

(g) Georgia Public Service Commission vehicle registrations must be displayed in conformance with Commission instructions and Commission enforcement officers or other authorized personnel are directed to repossess all vehicle registrations found on vehicles other than for which issued and return such registrations to the office of the Commission for such disposition as the Commission may, in its discretion, direct.

(h) The vehicle registration and identification stamps issued under the provisions of this rule and the Identification Cab Cards prepared therefor, shall become void on the first day of February in the succeeding year to the year for which issued unless such registration is terminated prior thereto.

(i) Vehicle registration and identification stamps will not be issued until such motor carriers are in full compliance with the Commission's qualification requirements.

### **8-2.2 Vehicle Identification Cab Cards.**

Form G (intrastate) Vehicle Identification Cab Cards shall be furnished by the Commission with the vehicle registration and identification stamps. Form D-1 (interstate exempt) Uniform Identification Cab Cards may be obtained from the National Association of

Regulatory Utility Commissioners, 1101 Vermont Avenue, N.W, Suite 200, Washington, D.C. 20005, Telephone (202) 898-2200 Facsimile (202) 898-2213, at a cost of 50¢ each.

### **8-2.3 Single State Registration.**

The single state registration rules and regulations of the Georgia Public Service Commission are the minimum requirements for all motor carriers engaged in interstate commerce in Georgia, and to the extent that they do not conflict with Georgia law; and where applicable are the same as the Single State Registration requirements issued by the U. S. Department of Transportation, Federal Motor Carrier Safety Administration, contained in Title 49 Part 367 of the Code of Federal Regulations, and as amended. Motor carriers operating within Georgia under certificates of permits issued by the Federal Motor Carrier Safety Administration or former Interstate Commerce Commission must register under this program with the Georgia Public Service Commission or another participating state.

### **8-3.1 Leasing of Motor Vehicles—General.**

(a) All vehicles operated by a certificated and/or permitted carrier under term, trip or rental lease arrangements must, before such vehicle is placed into service by the lessee, be registered with the Commission in the name of the lessee under the provisions of Commission Transportation Rule 8-2.1 or Commission Transportation Rule 8-2.3; All vehicles operated by a for hire or private carrier under term, trip or rental lease arrangements must, before vehicle is placed into service by the lessee be identified in the carrier's name as provided for in Commission Transportation Rule 4-1-390.21 or Commission Transportation Rule 8-4.1; be operated at all times during the term of the lease under the exclusive control, supervision and direction of the lessee who is solely responsible for the qualification of the vehicle with the Commission and all matters incidental to the operation of the vehicle while under lease. A copy of the lease agreement must be carried on the leased vehicle at all times during the term of the lease agreement, in addition to all other provisions, must include at a minimum the following:

- (1) The full names and addresses of the leasing parties.
- (2) A complete description of each vehicle involved.
- (3) Provision that the sole possession, responsibility and control of each vehicle for the entire term of the lease is to reside with the lessee.
- (4) Provisions that the vehicle will at all times be operated to the exclusive direction and supervision of the lessee.
- (5) A statement of the amount of compensation to be paid for use of the vehicle while held under lease and the method by which same is to be determined.
- (6) A statement of the term of the lease and conditions of renewal, if any.

(b) The above lease provisions shall not authorize or permit a motor carrier to lease a vehicle(s) from a lessor where the lessor retains substantial control of the daily operations of such vehicle(s) while under lease; such control shall include, but not be limited to, such things as billing; compliance with applicable safety and hazardous materials regulations, including maintenance of driver records; driving vehicle by person not an employee or bona fide agent of lessee; providing payment to any other lessors for services rendered for lessee; settlement of claims; provision of insurance required by the Commission; or assumption of any responsibility or liability to the public normally held by the Commission to be those of the lessee. The delegation of such responsibilities by lessee to lessor is prohibited.

(c) Lessor may be responsible for selecting, purchasing, financing, and maintaining its equipment; payment of all operating expenses, including all expenses of fuel, oil, tires, lubricants, service and repairs to the equipment; tolls, ferries, road taxes, mileage taxes, fuel taxes, fines for moving, parking or weight violations, base plates, licenses, permits or any other levies of assessments based upon the operation of the equipment; and any and all of lessor's activities performed other than that performed under the lease agreement.

(d) Notwithstanding the foregoing, any for hire or private carrier (lessee) shall be responsible for ensuring that all equipment leased to it is properly maintained and operated in compliance with the Commission's motor carrier safety and hazardous material rules, and regularly inspected. The drivers of leased or rented vehicles are considered employees of the lessee for the purpose of compliance with the Commission's safety and hazardous material rules.

(e) Carriers actively engaged in the transportation of household goods under certificated authority issued by the Commission are permitted to lease vehicles pursuant to the above conditions. This includes vehicles (owned, leased or rented) of agents of household goods carriers whose appointments have been approved by the Commission to operate under the carrier's authority pursuant to Commission Transportation Rule 5-2-2.1.

(f) No motor carrier holding household goods authority from the Commission, who is not actively engaged in the transportation of household goods, is permitted to lease vehicles for the purpose of transporting household goods under the carrier's certificated authority, unless said vehicles are operated pursuant to provisions of paragraph (e).

### 8-3.2 Single Source Leasing.

Single source leasing, whereby a leasing company whose primary business is leasing vehicles and who operates a fleet of ten or more vehicles provides vehicle equipment and drivers in a single transaction to a private carrier, is presumed to result in private carriage by the shipper if the requirements enumerated below are met and subject only to the Commission's transportation safety rules:

- (1) The lease must be reduced to writing and a copy maintained on the leased vehicle at all times during the term of the lease;
- (2) The period for which the lease applies must be no less than 30 days;
- (3) The lease agreement must provide, and the surrounding facts must reflect, that the leased equipment is exclusively committed to the lessee's use for the term of the lease;
- (4) The lease agreement must provide, and the surrounding facts must reflect, that during the term of the lease the lessee accepts, possesses, and exercises exclusive dominion and control over the leased equipment and assumes complete responsibility for the operation of the equipment;
- (5) The lessee must maintain public liability insurance and accept responsibility to the public for any injury caused in the course of performing the transportation service conducted by the lessee with the equipment during the term of the lease;
- (6) The lessee shall display appropriate identification on all equipment leased by it showing operation by the lessee during the performance of the transportation;
- (7) The lessee must accept responsibility for, and bear the cost of, compliance with safety and hazardous material regulations during performance by the lessee or any such transportation services; and
- (8) The lessee must bear the risk of damage to the cargo, subject to any right of action the lessee may have against the lessor for the latter's negligence.

**8-4.1 Vehicle Identification - General.**

(a) *Applicability.* The rules in this section and section 8-4.2 specify the identification markings required to be displayed on self-propelled motor vehicles under the jurisdiction of the Commission.

(b) *General Identification requirements.* Except for those vehicles described in Rule 8-4.2 below, the motor vehicle identification requirements are contained in Commission Transportation Rules 4-1-390.21, and 4-3-390.21

**8-4.2 Vehicle Identification of Lightweight Commercial Vehicles.**

(a) Except as provided for in paragraph (c) and (d) of this rule, every self-propelled motor vehicle with a G.V.W.R. of *10,000 lbs. or less* as described in paragraph (b) of this rule shall have painted, stenciled, or otherwise durably marked on both sides of the body or cab of each vehicle to be put into use, in letters and figures in sharp color contrast to the background and of such size, shape and colors as to be readily legible during daylight hours from a distance of 50 feet while the vehicle is not in motion, and such display shall be kept and maintained in such manner as to remain so legible, the following information:

1. (1) Legal name (or doing business as name);
2. (2) Principle place of domicile (nearest city and state); and,
3. (3) Their assigned FMCSA or ICC MC Number or assigned USDOT number.

(Item 3 required only if operating under authority issued by the FMCSA or ICC.)

(b) This rule shall apply to lightweight commercial vehicles which are:

(1) Operated by a for hire motor carrier and used to transport property or passengers for which a certificate, property permit, passenger permit, registration permit, or single state registration receipt is required; or,

(2) Operated by private carriers and are used to transport hazardous materials in quantities *not requiring* placarding.

(c) Passenger car type automobiles used for hire for the transportation of passengers (commonly known as towncar service) operated by carriers required to hold a permit from the Commission shall have affixed to the front bumper a tag or plate painted, stenciled, or otherwise durably marked in letters and figures in sharp color contrast to the background and of such size, shape and colors as to be readily legible during daylight hours from a distance of 50 feet while the vehicle is not in motion, and such display shall be kept and maintained in such manner as to remain so legible, the following information:

- (1) Legal name (or doing business as name);
- (2) Principal place of domicile (nearest city and state); and,
- (3) Telephone Number (including area code).

(d) *Limousines.* Limousines used by a carrier required to hold a certificate from the Commission shall be identified in accordance with Commission Transportation Rule 4-4-390.21.